

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTE AND HAZARDOUS MATERIALS DIVISION**

Information Sheet

**Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act,
1994 PA 451, as amended**

Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, regulates the transportation, storage, and disposal of scrap tires by certain tire retailers, scrap tire haulers, and scrap tire collection site owners. The following is a brief summary of the requirements:

- A **SCRAP TIRE** means a tire that is no longer being used for its original intended purpose including, but not limited to, a used tire, a reusable tire casing, or portions of tires. A scrap tire does not include a vehicle support stand.
 - A person shall deliver a scrap tire only to a registered collection site, a disposal area licensed under Part 115, an end-user, a scrap tire processor, a tire retailer, or a scrap tire recycler, that complies with Part 169.
 - Any person who by contract, agreement, or otherwise arranges for the removal of scrap tires shall do so with a solid waste hauler or a registered scrap tire hauler who is obligated to deliver the scrap tires to the authorized location indicated on the manifest.
- A **COLLECTION SITE** is a property where 500 or more scrap tires are accumulated, or where 1,500 or more scrap tires are accumulated if owned or leased by a retailer, or where 2,500 or more scrap tires are accumulated if owned or leased by an automotive recycler, or where 150 or more cubic yards of scrap tire processed material is accumulated if owned or leased by a commercial contractor that is authorized by the Department of Environmental Quality (DEQ) to use the material as an aggregate replacement.
- A **SCRAP TIRE COLLECTION SITE OWNER** must register annually by January 31 with the DEQ and provide all of the information required by the DEQ.
 - A person who owns a collection site shall maintain a bond in favor of the DEQ as required under Section 16903(1)(i). For additional information on the bonding requirements, contact the appropriate Scrap Tire Regulatory Program staff member for the county where the collection site is located or check the DEQ website.
 - A person who owns or operates a collection site shall meet the storage requirements of Section 16903. For additional information on the storage requirements, contact the appropriate Scrap Tire Regulatory Program staff member for the county where the collection site is located or check the DEQ website.
 - The owner or operator of a collection site shall ensure that tires at a collection site are maintained in a manner that limits the potential of mosquito breeding by complying with

1 or more of the following: (a) The tires shall be covered by plastic sheets or other impermeable barriers to prevent the accumulation of precipitation, (b) The tires shall be chemically treated to eliminate mosquito breeding, (c) The tires shall be baled, shredded, or chipped into pieces no larger than 4 inches by 6 inches and stored in piles that allow complete water drainage.

- A **SCRAP TIRE HAULER** is a person who transports tires as part of a commercial business. A person who transports more than 7 scrap tires in any truckload shall be considered to be in the commercial business of transporting scrap tires unless: A person who is not operating a commercial business is transporting his or her own tires to a location authorized in Section 16902(1), or is a member of a nonprofit service organization who is participating in a community service project and is transporting scrap tires to a location authorized in section 16902(1). Note: A solid waste hauler who hauls 25 percent or more by weight or volume of scrap tires along with other solid waste in any truckload is considered a scrap tire hauler and is required to register.
 - A scrap tire hauler must register annually by January 31, with the DEQ, and must provide all of the information required by the DEQ.
 - A scrap tire hauler shall maintain for 3 years records of each load of scrap tires transported on manifest forms approved by the DEQ. Only DEQ Form EQP 5128 is approved for use as the scrap tire transportation record. A copy of this record shall be provided to the person contracting for the removal of the scrap tires (generator), and to the registered collection site, licensed landfill, end-user, scrap tire processor, tire retailer, or scrap tire recycler to which the tires are delivered.
 - A scrap tire hauler shall possess a current scrap tire hauler registration and the original manifest during transportation. The registration number issued by the DEQ shall be visibly displayed on the vehicle transporting scrap tires.
- A **RETAILER** is a person who sells or offers for sale new, retreaded, or remanufactured tires to consumers in this state.
 - A retailer shall maintain manifests for 3 years indicating the number of scrap tires removed, and the final destination of those scrap tires removed. The retailer shall maintain all records received from a scrap tire hauler, and an owner, operator, or authorized agent of a location where the scrap tires are delivered. These records shall be made available to the DEQ upon request.
- The owner, operator, or authorized agent of a location where tires are delivered shall sign the manifest, indicating acceptance of the scrap tires, and within 30 days forward a copy of the signed record to the person who arranged for the removal of the scrap tires being delivered. These records must be maintained at the site of removal for a period of 3 years and be made available to the DEQ upon request during normal business hours.

- A person who violates Part 169 when fewer than 50 tires are involved is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$200 or more than \$500, or both.
- A person who violates Part 169, when 50 or more tires are involved, is guilty of a misdemeanor punishable by imprisonment for not more than 180 days or a fine of not less than \$500 or more than \$10,000, or both, for each violation.
- A person convicted of a second or subsequent violation of Part 169 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not less than \$1,000 or more than \$25,000, or both, for each violation.
- In addition to any other penalty provided for in this section, the court may order a person who violates this part to perform not more than 100 hours of community service. For any violation of this part, each day that a violation continues may constitute a separate violation.
- A peace officer may issue an appearance ticket to a person who is in violation of Part 169.
- A person who violates the mosquito control requirements is responsible for the payment of a civil fine of not more than \$400.

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Scrap Tire Regulatory Program Staff

Office Location	Staff	Telephone	Area of Responsibility
Lansing Office	Rhonda Oyer Zimmerman	517-373-4750	Policy and legislation.
Lansing Office	Julie Vallier	517-335-4924	Registrations and grants.
Lansing Office	Lynn Dumroese	517-373-4738	Registrations and grants.
Southeast Michigan	Susan McDonald	734-953-1426	Macomb, and Oakland Counties, and those portions of Wayne County not handled by Ann Vogen. Registrations from Ohio and Canada.
Detroit/Wayne County	Ann Vogen	313-456-4663	City of Detroit and portions of Wayne County, including Allen Park, Ecorse, Hamtramck, Highland Park, Lincoln Park, Melvindale, Redford, River Rouge, Romulus, Southgate, Taylor and Wyandotte.
Kalamazoo	Nadine Deak	269-567-3592	Allegan, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, St. Joseph, and Branch Counties. Registrations from Illinois and Indiana.
Grand Rapids	Terry Hartman	616-356-0229	Barry, Ionia, Kent, Newaygo, Muskegon, Oceana, and Ottawa Counties.
Jackson	Stan Idziak	517-780-7936	Jackson, Washtenaw, Hillsdale, Lenawee, and Monroe Counties.
Shiawassee	Rich Brim	517-625-4636	Gratiot, Clinton, Shiawassee, Genessee, Lapeer, Eaton, Ingham, and Livingston Counties
Saginaw Bay	Matt Siler	989-367-8025, ext 8202	Mecosta, Montcalm, Ogemaw, Iosco, Arenac, Clare, Gladwin, Bay, Isabella, Midland, Saginaw, Tuscola, Huron, and Sanilac Counties.

Office Location	Staff	Telephone	Area of Responsibility
Gaylord	Jenny Bennett	989-705-3421	Emmett, Cheboygan, Presque Isle, Charlevoix, Antrim, Otsego, Montmorency, Alpena, Crawford, Oscoda, Alcona, and Roscommon Counties.
Cadillac	Casey Cline	231-775-3960 ext. 6202	Kalkaska, Missaukee, Osceola, Grand Traverse, Wexford, Lake, Mason, Manistee, Benzie, and Leelanau Counties.
Upper Peninsula	Robert Schmeling	906-346-8545	All Upper Peninsula counties. Registrations from Minnesota and Wisconsin.
Upper Peninsula	Hank Switzer	906-346-8526	All Upper Peninsula counties. Registrations from Minnesota and Wisconsin.

For additional information, please check the DEQ's website at www.michigan.gov/deq. Click on "waste" and then on "scrap tires." You will find grant information, registration forms, copies of Part 169, lists of registered scrap tire haulers and collection sites, and other useful information.